

On February 12, 2018, the Plaintiff appealed the Commissioner's decision denying him benefits. Doc. 1. On November 7, the Magistrate Judge ordered the Plaintiff to file a brief in support of his request for judicial review of the Commissioner's decision within twenty-one days. Doc. 17. The Plaintiff never filed a brief. On December 4, the Magistrate Judge issued his Recommendation that the case be

dismissed for failure to prosecute. Doc. 18. On December 27, the Plaintiff requested an extension to file his objection to the Recommendation, which the Court granted. Docs. 20; 21. On January 15, 2019, the Plaintiff filed his objection. Doc. 24. The Plaintiff did not list a specific objection to the Recommendation. *See generally* Docs. 24; 24-1; 24-2. Rather, the Plaintiff merely asked the Court to grant his request of “temporary benefits for the safety and well-being of myself and wife and two children,” and did not address his failure to prosecute his case. Doc. 24. The Plaintiff has thus failed to show good cause for his failure to prosecute, and in any event, the Plaintiff’s objection adds no argument in support of his request for judicial review of the Commissioner’s decision. *See Murrah v. Fire Ins. Exch.*, 480 F.2d 613, 613 (5th Cir. 1973) (stating that because no good cause for failing to prosecute his case was shown, the court dismissed the case without prejudice);<sup>1</sup> *see also Wiggins v. Crosby*, 2007 WL 567529, at \*1 (N.D. Fla. 2007) (“[The plaintiff] filed objections, which merely indicate that [he] objects, without adding additional argument.” (internal citation omitted)).

The Court has reviewed the Recommendation, and the Court accepts and adopts the findings, conclusions, and recommendations of the Magistrate Judge. The Recommendation (Doc. 18) is **ADOPTED** and made the order of this Court.

Accordingly, the Plaintiff’s complaint (Doc. 1) is **DISMISSED without prejudice**.

**SO ORDERED**, this 12th day of April, 2019.

S/ Marc T. Treadwell  
MARC T. TREADWELL, JUDGE  
UNITED STATES DISTRICT COURT

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<sup>1</sup> Decisions of the Fifth Circuit rendered prior to October 1, 1981 “shall be binding as precedent in the Eleventh Circuit.” *Bonner v. City of Pritchard, Ala.*, 661 F.2d 1206, 1207 (11th Cir. 1981).